

City of Bristol Juvenile and Domestic Relations District Court Family Abuse Protective Order Filing Information

ALERTS:

- ◆ **IF YOU ARE IN IMMEDIATE DANGER, CALL 911.**
- ◆ **If the Court Service Unit or Court are not available, and you are in danger, you may also go to the Magistrate's Office to seek an Emergency Protective Order (see number 21); the Magistrate's Office is open 24 hours a day, seven days a week.**
- ◆ **REMEMBER that a Protective Order does not guarantee your safety; it is important to take extra safety measures even if you have this Order.**
- ◆ **There are people that can help you through this process if you feel overwhelmed or want additional safety advice. Information on how to reach someone who can help you is provided in the "Where else can I get help" section below.**

Please Note: In Virginia there are 3 kinds of family abuse protective orders that can protect you and others in your family or home; there are NO FILING FEES for filing a Protective Order petition.

- **Emergency Protective Orders (EPO):** generally last only 72 hours and are usually given by a magistrate or police officer. ***If you have an EPO and believe you need longer protection, you must go to the Court Service Unit at the courthouse BEFORE the EPO expires; it is best to go as soon as possible.***
- **Preliminary Protective Orders:** last 15 days or until a full hearing in front of a judge; to receive one, you **MUST** file a petition at court and go in front of a judge.
- **Permanent Protective Orders:** last up to 2 years and are issued by the court after a full hearing where both parties are before the judge.

1. Where is the court located?

Both the City of Bristol Juvenile & Domestic Relations District Court and the Court Service Unit are located in the City of Bristol, Virginia Courthouse and the address for both is:

497 Cumberland Street
Bristol, Virginia 24201

2. What are the driving directions?

➤ **From North (Abingdon):**

Take I-81 South to Exit 3 ► Follow Commonwealth Avenue ► Pass through 3 stop lights and then turn Left onto Cumberland Avenue (turn between the

Marathon Gas Station and bank) ► Go straight through 2 stop lights and the Courthouse will be on your Left.

➤ **From South (Tennessee):**

From the 800 Block of State Street (the central bus terminal) ► Turn Right onto State Street walking towards Macados ► Turn Left at the Burger Bar onto Piedmont Avenue ► Go past the library and take a Right at the stoplight next to Blackbird Bakery ► The Courthouse is 2 blocks down on your Left across from WCYB.

3. Where is parking available?

For both the Court and the Court Service Unit: parking is available across the street from the Courthouse in the parking lot. Some street parking is available around the corner from the Courthouse as well. Handicap parking spaces are available in both locations.

4. What bus transportation is available to Courthouse/cost?

Bristol Virginia Transit:

2107 Shakesville Road

Bristol, VA 24201

Phone: 276-645-7384

Route Map: <http://www.bristolva.org/DocumentCenter/View/24>

Bristol Tennessee Transit:

212 Blackley Road

Bristol, TN 37621

Phone: 423-989-5586

Route Map: <http://www.bristoltn.org/DocumentCenter/View/117>

Both Bristol Virginia and Bristol Tennessee Transit offer fixed route service throughout the City, and all buses arrive and depart from the Downtown Transfer Center in the 800 block of State Street next to the Farmers' Market at 15 minutes past the hour. The first departure from Bristol, TN is at 6:15 a.m. and the last is at 5:15 p.m. The first departure from Bristol, VA is 7:15 a.m. and the last is at 5:15 p.m.

Bristol Virginia accepts Tennessee Passes and Bristol Tennessee accepts Bristol Virginia Tokens. Bus rates for Bristol, VA Transits are \$1.00 and 10 cents (\$0.10) per transfer. Bus rates for Bristol, TN are \$.60 and 10 cents (\$0.10) per transfer. Discounts apply for senior citizens (55+) and disabled citizens. Children under 6 are Free. Exact change is required. Both states offer half price transits between 10 a.m. and 2 p.m.

5. What taxi service is available?

There are no taxi services available at this time.

6. What other assistance is available for transportation?

Under special circumstances, other forms of transportation may be arranged. Contact Abuse Alternatives' Outreach Office at 423- 652-9093 or their 24-hour hotline at 1-800-987-6499 or Victim Witness Coordinator at 276-645-7322.

If you are in a Shelter, staff from the facility will transport you to Court.

7. What should I do if I do not understand or speak English well?

You need to tell the Intake Officer at the Court Service Unit when you first go to file your petition. The Clerk's Office can then be notified and arrangements made for an interpreter to be present at the hearing.

You can also contact the Victim Witness Coordinator at 276-645-7322 or you can contact Abuse Alternatives' Outreach Office at 423- 652-9093 or their 24-hour hotline at 1-800-987-6499. Language interpretation lines may be available in some situations.

I-CAN! Virginia is available in Spanish. There are also translation programs available on the Internet for limited assistance.

I-CAN! Virginia is a free online program that helps a person complete the forms necessary to ask the court for a protective order. Go to:
<https://www.vacourtformhelp.courts.state.va.us/> and follow the prompts.

8. What should I do if I need help with a physical challenge?

Both Bristol Virginia and Bristol Tennessee transit buses are handicap accessible. However, services are available for persons unable to use the regular bus services. Persons must be certified as specified by ADA requirements.

Additional assistance may be available by contacting the Paratransit Van at 423-989-5586 or 276-645-7384

You can also contact the Intake Officer at the Court Service Unit at 276-645-7356 or contact the Clerk's Office at 276-645-7325 and let them know your physical challenge so that arrangements can be made with the deputies at the security check area of the Courthouse.

You can also contact the Victim Witness Coordinator at 276-645-7322 or you can contact Abuse Alternatives' Outreach Office at 423-652-9093.

9. Where should I go after passing through security check at the door?

- To file for a protective order, you will need to first go to the Court Service Unit, which is located in the courthouse. Ask security where the Court Service Unit is located.
- The Juvenile & Domestic Relations District Court and waiting area is located on the first floor of the courthouse. After passing through security, take a seat in the area immediately in front of you until your case is called.

10. What should I wear to Court?

Appropriate dress is required for all parties during the court hearing. Please do NOT wear the following:

- Shorts
- Halter tops, tank tops or low cut tops
- Hats
- Exposed undergarments
- Clothing with vulgar or obscene words or pictures
- No food, drinks or gum are permitted in the Courtroom.

11. What should I bring with me?

- You **must** have:
 - A full description of what happened that led you to seek a protective order. If you used the I-CAN! Virginia system to complete your petition, bring all printed documents from that program with you. **YOU NEED THE SAME INFORMATION WHEN YOU GO TO THE COURTROOM.** You will have to tell the judge what happened that makes you believe you need protection.
 - **PLEASE KNOW:** the person from whom you are seeking protection will receive a copy of both your Affidavit and Petition for a Protective Order when he/she is served.
 - If you are given a preliminary protective order, you **NEED TO KEEP ALL THIS INFORMATION** as you will need it for the full hearing that will have been scheduled. This is when both parties will go before the judge and testify about what happened.
 - Any prior or existing protective orders you have, INCLUDING your Emergency Protective Order, if you have one. Also bring any other court orders you have, including custody orders for any children involved.
 - The full name and address of the person from whom you are seeking protection (not a Post Office Box).
- You should also bring with you:
 - **Any photographs or medical records related to the event that led you to ask for a family abuse protective order or anything else you think the judge needs to know about why you need protection.**
 - As much identifying information and contact information as possible about the person from whom you are seeking protection. This information is important because law enforcement must find the person and personally serve them in

order for the protective order to be in effect. Bring any of the following information about the person that you have:

- Name, nickname, aliases
- Date of birth and social security number
- Addresses and directions for the person's home, work, friends, relatives and places he or she goes a lot
- Home, work, cell phone, and pager numbers
- Description of what the person looks like, including age, height, weight, eye color, hair color, distinguishing marks or tattoos
- Information about weapons the person owns or carries, especially firearms
- Recent photograph of the person
- Mental health or medical conditions
- If you have any prior or existing protective orders and have copies of them, bring them even if they are from another state or other area of Virginia. Social Security numbers and birth dates for children for whom you are seeking protection are also helpful.
- The names and full addresses of anyone who witnessed what happened.

12. What should I NOT bring with me?

All persons entering the City of Bristol Courthouse are screened and subject to search; this includes all bags, cases and other items being carried.

The Courthouse does **NOT** allow anything that could be used as a weapon, including but not limited to: guns, knives, scissors, knitting needles, and nail trimmers.

You are NOT allowed to bring cell phones into the courthouse OR any electronic devices, including cameras, pagers, laptop computers, beepers, recording devices, video games, walkman, I-PODs, MP3 players, DVD/CD players or radios.

Deputies at the security area will NOT hold any of these items nor take responsibility for any items left outside the Courthouse.

Tell security staff if information on a cell phone or camera is needed as evidence in your case.

You are discouraged from bringing young children with you. If you must bring children, bring an adult with you to supervise them and be sure to have all items they will need to be entertained and cared for as you may be there for several hours.

Assistive devices or adaptive equipment for persons with hearing impairment/other disabilities including service/companion animals for disabled persons ARE allowed.

13. Who should I bring with me?

You only **need** to bring yourself to file for a Family Abuse Protective Order; however, you may bring anyone with you who was a witness to the incident that caused you to come to court. You may bring a friend, family member or advocate, if working with one, for support if you wish. Try not to bring anyone who may cause a disturbance.

Be sure to bring the names and full addresses for any witnesses who actually saw what happened, if they do not come with you when you file the petition. You may have them subpoenaed for the full hearing that will be scheduled if you are given the order.

14. What days can I file for Family Abuse Protective Order?

Both the Court Service Unit and the Juvenile & Domestic Relations District Court Clerk's Office are open Monday through Friday from 8:00 a.m. until 4:30 p.m., with the offices being closed for lunch from 12:00 p.m. until 12:30 p.m.

A Juvenile & Domestic Relations District Court judge is available ONLY on Monday, Tuesday, Wednesday, and the first and third Thursdays in the City of Bristol for protective order hearings.

- Call for instructions about protective orders on days when the Judge is not holding Court. You can call the Clerk's Office at 276- 645-7325 or the Court Service Unit at 276-645-7356.
- The offices are closed for state holidays and occasionally for inclement weather. For bad weather, call the Court Service Unit or the Clerk's Office at the above numbers.

REMEMBER: if the Court Service Unit or Court is not available, and you are in danger, you may go to the Magistrate's Office to seek an Emergency Protective Order; the Magistrate's Office is open 24 hours a day, seven days a week.

There are NO filing fees for filing a Protective Order Petition.

15. How early can I arrive for a Family Abuse Protective Order?

The Court Service Unit opens at 8:00 a.m. Monday through Friday. The Office Services Assistant at the Court Service Unit will give you instructions about filing for the protective order. It is best to get to the Court Service Unit AS EARLY AS POSSIBLE.

16. How late can I arrive for a Family Abuse Protective Order?

You must come to the Court Service Unit on the days when the judge is holding court **NO LATER THAN 2:45 p.m.** in order to have your request for a protective order considered by the judge that day.

REMEMBER: there is no judge available on the second or fourth Thursdays or Fridays to hear your petition that day; however, you may still file the petition but the Clerk's Office will have to schedule a time for the judge to hear the matter.

AGAIN, if you believe you are in immediate danger and your protective order petition cannot be heard that day, you can go to the Magistrate's Office, which is open 24 hours a day, seven days a week, to seek an Emergency Protective Order.

17. How long should I expect to spend at the Courthouse to file and have my protective order petition heard the same day?

You should plan on being at the Courthouse for a few hours. Preparing your documents on the I-CAN! Virginia system may speed up the process. Go to: <https://www.vacourtformhelp.courts.state.va.us/> to begin your I-CAN! Virginia session.

- You will meet with an Intake Officer from the Court Service Unit to prepare the request for a protection order; this will include preparing an affidavit, which is your written statement about what happened.
- The Intake Officer will answer questions about the court process. When you have finished at the Court Service Unit, you will take your paperwork to file it with the Juvenile & Domestic Relations District Court Clerk's Office, which is also on the first floor of the Courthouse.
- The Clerk's Office will give you instructions about when you will go in front of the judge to explain what happened and ask for the order. You need to remain at the courthouse until you have gone in front of the Judge or the Clerk's Office has given you instructions telling you what day and time you need to come back for the hearing.
- If the Judge grants you a protective order, you MUST STAY UNTIL you are given a copy of the Order. Do not leave until you have a copy.

18. How do I contact Court for more info?

The City of Bristol Juvenile & Domestic Relations District Court Clerk's Office can be reached at 276-645-7325.

The City of Bristol Court Service Unit can be reached at 276-645-7356.

19. What should I do if I feel I am in immediate danger?

- If you believe you are in immediate danger, call 911 and request law enforcement assistance.
- You may also go to the Magistrate's Office to ask for an Emergency Protective Order. They are open 24 hours a day, seven days a week.
- A Virginia Family Violence & Sexual Assault Hotline is available 24 hours a day at 1-800-838-8238.
- The 24 Hour Child Abuse and Adult Abuse Hotline can be reached 1-800-552-7096.

- Abuse Alternatives provides a 24-hour hotline and local emergency shelter services at 1-800-987-6499.

20. What should I do if an Emergency Protective Order that was issued expires before I am able to have a petition for the Family Abuse Protective Order filed and heard by a Judge?

Emergency Protective Orders are usually issued for approximately 72 hours. Make every effort to get to the Court Service Unit BEFORE your Emergency Protective Order expires so you can file for a preliminary protective order.

The Magistrate's Office will not issue a new Emergency Protective Order for the same incident. If a new incidence has occurred, then a new Emergency Protective Order may be issued; you will have to complete another Affidavit about what happened and testify under oath to the Magistrate about the incident and why you need another Emergency Protective Order.

You can speak with an advocate or hotline worker, 24 hours a day, about safety planning and possible shelter stay if you believe this is necessary to stay safe, or for additional information and support. Abuse Alternatives provides a 24-hour Hotline and local emergency shelter to victims of domestic violence and sexual assault. The hotline number is 1-800-987-6499.

21. How do I contact the Magistrate's Office for more information?

Magistrates are available seven days a week, 24 hours a day, including state holidays.

The City of Bristol Magistrate's Office is located in the City Jail Complex:

The City Jail Complex is located beside the Bristol Courthouse. After entering the building, turn left and pick up the red phone; you will need to tell the person who answers that you are there to see the Magistrate about a protective order.

There are no fees for any service from the Magistrate's Office.

22. Do I need a lawyer for a Family Abuse Protective Order?

You do not need a lawyer to file for a preliminary protective order. The Court Service Unit Intake Officer will provide assistance to help you complete the necessary paperwork. Additionally, the Victim Witness Coordinator and/or Abuse Alternatives Court Advocate can provide assistance to help you through the process and will provide basic information to prepare you for the court hearing.

PLEASE NOTE: The Court Service Unit, the Clerk's Office, the Victim Witness Coordinator and domestic violence advocate CANNOT give you legal advice.

For this reason, you may want to consider having a lawyer at the full hearing (when

both parties are present and have a hearing in front of the judge); especially if the person from whom you seek protection has a lawyer. If you are interested in getting a lawyer, see below.

23. How can I find a lawyer to help me?

- **The Virginia State Bar: Virginia Lawyer Referral Service:**
1-800-552-7977. Their website is www.vsb.org
 - Information on local lawyers is also available in the yellow pages of your phone book and through the Internet.
- **Southwest Virginia Legal Aid Society, Inc.:** 1-888-201-2772.
Their website is <http://www.svlas.org>.
 - *Free legal services may be available to low-income clients who qualify for Legal Aid.* Applications can be completed by phone, toll free, at 1-888-201-2772; intake hours are Monday through Thursday from 9:00 a.m. until 4:00 p.m. and Friday from 9:00 a.m. until 12:00 p.m. If you are applying by phone and get a busy signal, please continue to call until you reach an intake worker; the lines stay very busy. Applications can also be completed online 24 hours a day at www.svlas.org by clicking on the “Apply for Help” link.
Legal Aid can provide free lawyers to help with obtaining and enforcing protective orders, and they also can provide legal assistance with other matters related to family abuse, such as custody, support, divorce, housing, public benefits and consumer matters. This legal assistance can include in court representation as well as advice.

24. How will I know when the Protective Order is served on the person from whom I want protection?

- Contact the Bristol Police Department: 276- 645-7400.
- Contact the Clerk’s Office: 276- 645-7325.
- When a criminal charge has been filed against a person from whom you think you need protection, and that person is being held in jail in Virginia, you may check to see if the person is still in jail and you can sign up to be notified when the person is released from jail by any of the following methods:
 - Online: <https://www.vinelink.com>
 - Phone: 1-800-467-4943 (TTY: 866-467-4943)
 - If the person is being held in the Bristol City Jail, you need to contact the City of Bristol Victim Witness Coordinator at 276-645-7322; they can file a form with the Jail requesting you be notified when respondent is being released.

25. When is the protective order in effect?

After a hearing before the judge (this includes both when you ask for a preliminary protective order and the full protective order), a copy of the Protective Order must be

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personally given to the person from whom you asked for protection by a court official or police officer. Once the person receives the order (this is called personal service), it is valid.

You **MUST** wait after the hearing to be given a copy of the order. **DO NOT LEAVE THE COURTHOUSE WITHOUT A COPY OF THE ORDER.**

26. What if I am the respondent?

A respondent is the person against whom the protective order is issued. A deputy or police officer will serve you with a copy of the Protective Order.

Be sure to carefully read the Order. Be sure to strictly comply with the Order to avoid more problems, which could result in a criminal penalty such as jail time.

The Order can be dissolved or changed **ONLY** by a judge.

The Order will have a date and time for a full hearing; be sure to come to Court at least 30 minutes ahead of the time to park and go through security. At the hearing, you will have a chance to tell your side of the story to the judge.

You have the right to hire an attorney if you want; HOWEVER, the Court CANNOT appoint you an attorney for a Protective Order matter. Those working in the court system (court service, clerks, judge, etc.) cannot give you legal advice.

27. What should I do if the Protective Order is violated?

If your protective order is violated, and you are in danger, immediately call 911 and tell them that you have a protective order and you feel you are in danger because the abuser is violating the order.

You can also contact the Bristol Police Department at 276-645-7400 to report that your protective order is being violated. You also can go to the Magistrate's Office to ask that a warrant be filed against the person for violating the order.

If you have an attorney, be sure to notify him or her. You may also notify the Clerk's Office.

28. What if I need to move after my Protective Order is entered?

If you move or travel within the state or anywhere else in the country, including United States territories and Indian tribal lands, your protective order will still be valid.

If you are thinking about moving or traveling you may want to contact the National Center on Full Faith and Credit at 1-800-903-0111 for more information.

Please notify the City of Bristol Clerk's Office if you move or have a change of address.

If you move to another state or are moving to the City of Bristol, Virginia, from somewhere else where you have been given a protective order, you can register this order with the court where you will be living. Contact the Clerk's Office in the area.

29. Where are computers the public can use?

➤ **Bristol Virginia Public Library**

701 Goode Street, Bristol, VA 24201

Phone: 276-645-8780

- Hours: Monday - Thursday, 9:00 am- 8:00 pm; Friday and Saturday, 9:00 am – 5:00 pm; Sunday, 2:00 pm – 5:00 pm.
- 18 public computers available

➤ **BPL Adult Learning Lab**

Located inside the Bristol Virginia Public Library

Phone: 276-645-8790

- Hours: Monday - Thursday: 10:00 am – 6:00 pm; Friday: 10:00 am – 2:00 pm
- 8 computers available

➤ **Avoca Branch Library** 1550 Volunteer

Parkway, Bristol, TN

Phone: 423-968-9663

- Hours: Monday – Thursday: 10:00 am- 7:00 pm; Friday: 9:00 am – 5:00 pm; Saturday: 9:00 am – 12:00 pm.
- 6 computers available

➤ **Virginia Highlands Community College Library**

100 VHCC Drive, Abingdon, VA 24210

Phone: 276-739-2542

- Library Hours: Monday – Thursday: 8:00 am to 9:00 pm; Friday: 8:00 am to 5:00 pm; Saturday: 11:00 am to 3:00 pm.
- The college and library are closed for state holidays.
- The Library has 16 computers available for public access and there is no fee at this time for computer use or printing.

➤ **Southwest Virginia Higher Education Center**

One Partnership Circle, Abingdon, VA 24212

Phone: 276-619-4300

- Take Exit 14 from I-81 and go past first entrance to Virginia Highlands Community College and follow street to parking lot at bottom of roadway. Go to the front desk of the Higher Education Center. You will be asked to leave your keys and you will be given a swipe card to enter the lab.
- You must take your own paper for printing or purchase a package of 25 sheets for twenty-five cents.
- There is no other fee for use of the computer/lab area.

30. Where else can I get help?

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- **Abuse Alternatives, Inc.:** Free and confidential 24-hour Hotline and local emergency shelter services available; contact at 1-800-987-6499. Their website is www.abusealternatives.org.
- **Bristol City VSTOP Domestic Violence Officer:** 276-645-3750
- **Bristol Regional Counseling Center:** 432-989-4500
- **Highlands Community Services:** 276-525-1550
- **The Crisis Center, Inc.:** Free and confidential 24-hour crisis Hotline services; contact at 276-466-2312. Their website is <http://www.crisiscenterinc.org>.
- **District Three Abuse in Later Life Program:** Free and confidential assistance for adults aged 50 and over including emergency financial assistance, court advocacy assistance, support services, contact at 276-791-4596
- **Virginia Family Violence & Sexual Assault Hotline:** 1-800-838-8283.

31. What are some other resources for assistance?

- Abortion Alternatives & Crisis Pregnancy Center: 423-968-4673
- Bristol Family Resource Center: 276-645-3765 Free Parent Education
- Bristol Housing Authority: 276-642-2001
- City of Bristol Commonwealth's Attorney Office: 276-645-7200
- City of Bristol Department of Social Services: 276-645-7450
- Clothing Closet: 423-764 7904
- Crisis Hotline: 1-866-953-0484
- Crossroads Medical Center: 276-466-1600
- District Three Governmental Cooperative: Assistance for adults aged 60 and over including Home Delivered Meals, Care Management, Medical Transportation, Chore Services, Emergency Financial Assistance. Contact 1-800-541-0933 or email info@district-three.org
- Faith in Action: 276-466-8292
- Healing Hands Health Center: 423-652-0260 or <https://healinghandshealthcenter.org>
- Haven of Rest: 423-968-2011
- Highlands Fellowship Church: 276-628-3297
- People Incorporated: 276-466-5587
- Salvation Army: 423-764-2777
- Senior Navigator: <https://virginianavigator.org/>
- Southwest Virginia Legal Aid Society: 1-866-534-5243 or 1-888-207-2772
<http://www.svlas.org>.
- Suicide Hotline: 1-800-273-8255
- Virginia Family Violence & Sexual Assault Hotline: 1-800-838-8238; available 24 hours a day.
- 24-Hour Hotline: 1-800-987-6499 (includes linkage to language line interpreting services for non-English speaking callers; TTY 423-652-9750).

32. How do I delete webpage history?

Delete webpage history

As you browse the web, your computer stores information about the websites you visit. If you are in an abusive situation, you may consider deleting certain websites

from your browser history for safety reasons.

Note: Deleting all browsing history does not delete your list of favorites or subscribed feeds. It only deletes temporary files, browsing history, cookies, saved form information, and saved passwords.

If you are using-

Internet Explorer:

1. In Internet Explorer, click the **Tools** button and select internet options, then on the general tab go down to the browsing history section and click the delete button.
2. Select the boxes beside all of the things you would like deleted, including the history, click delete and click apply before exiting internet options.

Chrome:

1. Click the Chrome Menu icon in the top right corner of the browser window.
2. Select History. Select **Clear browsing data**.
3. Click the Remove selected items button below the blue bar at the top of the page. Click OK when the confirmation window appears. From the menu select the history you want deleted; to clear the entire browsing history, select **beginning of time**.
4. Check the boxes for the data to be cleared, including "browsing history," and click the button **clear browsing data**.

Mozilla Firefox:

Select menu and either click new private window to continue browsing privately or click history. If you choose history, click the clear recent history and select how far back you would like to delete and click **clear now**.